

REMARKS

Applicants respectfully request favorable reconsideration of this application, as amended.

By this Amendment, Claims 9 and 16 have been amended as discussed in detail below. Claims 18-20 have been have been amended to address the alleged informalities therein. Claims 1-8 were previously cancelled without prejudice or disclaimer. Thus, Claims 9-20 are pending.

In the Office Action, Claims 9-20 were rejected under 35 U.S.C. § 102(e) over Alexander. Without acceding to the rejection, independent Claims 9 and 16 have been amended to more particularly recite certain distinctive features of Applicants' invention. In particular, Claim 9 now recites, *inter alia*, that the automatic repair function calls an operating system mounting function which constructs an execution environment for the operating system based on operating system data structures saved in the mass memory and, if an error based on incoherent operating system data structures saved in the mass memory before the commencement of the operating system mounting function is detected during the operating system mounting function, the automatic repair function automatically calls the startup function upon return of a standard acknowledgement function. Support is provided, for example, at page 2, lines 3-8 of Applicants' disclosure.

It is apparent that the applied reference does not teach or suggest at least the above-described features of Claim 9. For example, the portion of Alexander cited in the Office Action teaches repairing corrupted BIOS initialization code by analyzing an error code and executing a solution code external to the computer system. See , Alexander, col. 1, lines 41-60; col. 2, lines 23-30; col. 3, lines 23-35; and col. 5, lines

16-23. Alexander does not teach or suggest an automatic repair function that calls an operating system mounting function which constructs an execution environment for the operating system based on operating system data structures saved in the mass memory and, if an error based on incoherent operating system data structures saved in the mass memory before the commencement of the operating system mounting function is detected during the operating system mounting function, as recited in Claim 9.

Therefore, Applicants respectfully submit that Claim 9 distinguishes patentably from the applied reference.

Independent Claim 16 now recites, *inter alia*, that mounting the operating system comprises constructing an execution environment for the operating system based on operating system data structures saved in the mass memory, and acknowledging any error indicated in mounting the operating system based on incoherent operating system data structures saved in the mass memory before the commencement of the operating system mounting function. Thus, Applicants respectfully submit that Claim 16 also distinguishes patentably from the applied reference for at least the reasons discussed above with respect to Claim 9.

Dependent Claims 10-15 and 17-20 are also believed to be patentable due to their dependence from Claims 9 and 16, respectively, as well as for the additional features recited in Claims 10-15 and 17-20.

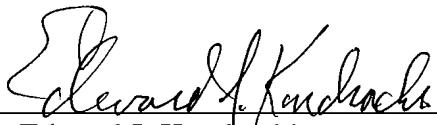
Therefore, Applicants respectfully request the rejection be withdrawn. A Notice of Allowance is respectfully requested.

Should the Examiner believe that any further action is necessary to place this application in better form for allowance, the Examiner is invited to contact Applicants' representative at the telephone number listed below.

The Commissioner is hereby authorized to charge to Deposit Account No. 50-1165 (T2147-907310) any fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this paper and to credit any overpayment to that Account. If any extension of time is required in connection with the filing of this paper and has not been separately requested, such extension is hereby requested.

Respectfully submitted,

MILES & STOCKBRIDGE, P.C.

By: 
Edward J. Kondracki
Reg. No. 20,604

Eric G. King
Reg. No. 42,736

1751 Pinnacle Drive, Suite 500
McLean, Virginia 22102-3833
Telephone: (703) 610-8647
4844-1087-5649